

24.01.2024.
Court No.13
Item No.13
pk

W.P.A. No. 27442 of 2023

**Mercy Ghosh
Versus
The State of West Bengal & Ors.**

Mr. Rananeesh Guha Thakurta
...For the petitioner.

Ms. Amrita Pandey,
Ms. Anamika Pandey,
Mr. Ghanshyam Pandey,
Ms. Sneha Singh,
Ms. Bipasha Jaiswal
...For the respondent No. 4.

Mr. Suman Sengupta,
Mr. Sambuddha Dutta,
Ms. Amrita Panja Moulick
... for the State.

1. The Registrar General of this Court has filed a report. The Certificate Officer has also calculated the compound interest payable to the petitioner. The principal amount payable to the petitioner after deducting Rs.1,00,000/- comes to Rs.3,70,431/-.
2. Compound interest calculated on 15 per cent per annum in terms of Section 8 of Payment of Gratuity Act, 1972 and dues payable to the petitioner together with principal is sum of Rs.8,40,862/-. This calculation has been submitted by the certificate officer.
3. To clear the dues of the petitioner, the Registrar General, after paying the other seven employees, has a sum of Rs.7,49,774/-. Let a sum of Rs.3,70,431/- be paid by the Registrar General to the writ petitioner,

Mercy Ghosh by 29.01.2024 into her bank account, particulars whereof shall be furnished. Insofar as computation of compound interest on the delayed payment of gratuity is concerned, the certificate dated 05.01.2024 communicated to the Registrar General by the Certificate Officer, South 24 Parganas shall become executable before the Authority concerned for the sum remaining outstanding under Sections 6 to 8 of the Act of 1972.

4. The petitioner may take steps in this regard. Any balance sum remaining with the Registrar General shall abide by any demand that may be made by the Authorities under the Payment of Gratuity Act, 1972 on account of any of the eight writ petitioners, morefully described in paragraph 12 of the writ petition, including the writ petitioner.

5. Let formal certificate be issued by the Certificate Officer and communicated to the Employer. The certificate shall be executed expeditiously in accordance with law preferably with two months from date.

6. The writ petition is disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

